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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,558	07/10/2003	Vicky Kunold	Kunold - 3	4293
996	7590	12/06/2005	EXAMINER	
GRAYBEAL, JACKSON, HALEY LLP 155 - 108TH AVENUE NE SUITE 350 BELLEVUE, WA 98004-5901			ART UNIT	PAPER NUMBER

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/617,558

07/10/2003

Vicky Kunold

Kunold-3

EXAMINER

Rodriguez, Ruth C.

ART UNIT

PAPER

3677 11072005

DATE MAILED:

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Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 07 October 2005. The submission, however, is not fully responsive to the prior Office action because newly submitted claims 3-11 are directed to an invention (method for keeping a bag closed) that is independent or distinct from the invention originally claimed (a device) for the following reasons the device can be used in a materially different process of using the product such as holding athletic equipment in place against a user's body. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Katherine Mitchell
Primary Examiner